

THOMAS N. STEWART, III - #88128  
ATTORNEY AT LAW  
369 BLUE OAK LANE, 2<sup>nd</sup> FLOOR  
CLAYTON, CA 94517  
TELEPHONE (925) 672-8452  
TELEFAX (925) 673-1729  
Attorneys for Rick Futia

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

RICK FUTIA,

Case No. C 08-688 PVT

Plaintiff,

NOTICE OF VOLUNTARY DISMISSAL OF  
BOREL BANK AND TRUST

v.

BOREL BANK and TRUST  
COMPANY, SARO YAMAGAMI  
TRUST,

Defendants.

\_\_\_\_\_ /

NOTICE IS HEREBY GIVEN that pursuant to Fed.R.Civ.Pro. 41(a), Plaintiff voluntarily  
dismisses Borel Bank and Trust from the above-captioned action without prejudice.

Date: June 29, 2008

S/THOMAS N. STEWART, III  
Attorney for Plaintiff